

**COMMONWEALTH OF KENTUCKY  
KENTUCKY HORSE RACING COMMISSION  
CASE NO. 08-035**

RICHARD DUTROW

PETITIONER

VS.

**FINAL ORDER OF THE  
KENTUCKY HORSE RACING COMMISSION**

KENTUCKY HORSE RACING COMMISSION

RESPONDENT

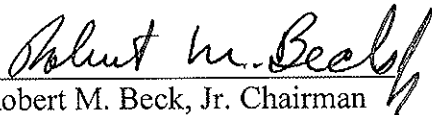
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Based upon the hearing officer's Findings of Fact and Conclusions of Law in the above-styled case as presented at the Kentucky Horse Racing Commission meeting on July 7, 2009, a Final Order is hereby entered as follows:

The Kentucky Horse Racing Commission accepts and adopts in its entirety the recommended order of the hearing officer, except that the penalty imposed by the stewards is to be modified as follows:

The petitioner's trainer's license issued by the Commission is to be suspended for thirty (30) days, from July 19, 2009 to August 18, 2009. Additionally, the horse SALUTE THE COUNT is ordered to be disqualified from the fifth race at Churchill Downs on May 2, 2008 and placed last, and the purse is ordered to be forfeited.

So ORDERED this 8<sup>th</sup> day of July, 2009.

  
Robert M. Beck, Jr. Chairman  
Kentucky Horse Racing Commission

## **RIGHT OF APPEAL**

A final order of the Kentucky Horse Racing Authority may be appealed pursuant to KRS

13B.140 (1), which states:

All final orders of an agency shall be subject to judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to the Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the petition shall be served by the petitioner upon the agency and all parties of record. The petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which review is requested. The petition shall be accompanied by a copy of the final order.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Final Order was mailed by certified mail, return receipt requested, to the following:

Mr. Richard Dutrow  
2 The Hollows Way  
East Norwich, NY 11732

and by regular mail, postage prepaid, to the following:

Hon. Jim Robke, Hearing Officer  
3491 Reeves Lane  
Ft. Wright, Kentucky 41017

Hon. Frank Becker  
218 Sycamore Road  
Lexington, KY 40502

this the 8<sup>th</sup> day of July, 2009.

Robert M. Beck